

FRANKLIN I. OGELE (FO-oo40)
LAW OFFICE OF FRANKLIN OGELE
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NEWARK, NJ 07102
ATTORNEY FOR OLIVER L. VELEZ

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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OLIVER L. VELEZ

INDEX #07 CV 08524

Plaintiff

CIVIL ACTION

vs.

NOTICE OF MOTION TO REMAND
AND MOTION TO DISMISS AND FOR
FEES AND COSTS

FINANCIAL INDUSTRY
REGULATORY AUTHORITY
GREG CAPRA AND
PRISTINE CAPITAL HOLDINGS, INC.

Return Date: November 27, 2007

Defendants

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TO: Dan A. Druz, Esq.
Attorney for Greg Capra and
Pristine Capital Holdings, Inc.
291 E. Main Street, Suite 1000
Manasquan, NJ 08736
732 233 7676

Terry L. Reicher, Esq.
Associate General Counsel
FINRA
1735 K. Street. NW
Washington, DC 20006
Attorney For FINRA

Ladies and Gentlemen:

PLEASE TAKE NOTICE that on November 27, 2007 at _____ a.m. or as soon as Counsel may be heard, Oliver A. Velez (“Velez”) shall move to Remand and Dismiss the Notice of Removal (Index #07-CV- 08524), and for costs and attorney fees to the Supreme Court of the State of New York, Honorable Judge Jane Solomon, presiding. Velez’ Motion will be heard by Honorable Alvin K. Hellerstein, U.S.D.J. Southern District of New York, at the Daniel Patrick Moynihan United States Court House, 500 Pearl Street, New York, Court Room _____.

PLEASE TAKE FURTHER NOTICE that Velez shall rely on the Memorandum of Law which argues that there is no federal subject matter jurisdiction and diversity of citizenship to warrant removal and Certification, pleadings and other moving papers submitted herewith.

Signed
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Date 11/16/07

VelezNoticeofMotionRemand